

House File 2310 - Enrolled

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1 1 HOUSE FILE 2310
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1 3 AN ACT
1 4 REQUIRING THE DEPARTMENTS OF PUBLIC HEALTH AND HUMAN SERVICES
1 5 TO COLLECT DATA AND DEVELOP A PROTOCOL TO ADDRESS THE
1 6 RELATIONSHIP BETWEEN SUBSTANCE MISUSE, ABUSE, OR DEPENDENCY
1 7 BY A CHILD'S PARENT, GUARDIAN, CUSTODIAN, OR OTHER PERSON
1 8 RESPONSIBLE FOR THE CHILD'S CARE AND CHILD ABUSE.
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1 10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 12 Section 1. SUBSTANCE ABUSE AND CHILD ABUSE.
1 13 1. The departments of public health and human services
1 14 shall conduct a study involving the collection of information
1 15 regarding the relationship between substance misuse, abuse, or
1 16 dependency by a child's parent, guardian, custodian, or other
1 17 person responsible for the child's care and child abuse. The
1 18 purpose of the study is to identify effective means of
1 19 reducing the incidence and impact of child abuse, including
1 20 denial of critical care and interventions with families by the
1 21 child welfare system, that is wholly or partially caused by
1 22 substance misuse, abuse, or dependency by the child's parent,
1 23 guardian, custodian, or other person responsible for the
1 24 child's care. The study shall also identify potential changes
1 25 in Iowa law that could encourage a child's parent, guardian,
1 26 custodian, or other person responsible for the child's care to
1 27 secure voluntary treatment for substance misuse, abuse, or
1 28 dependency.
1 29 2. The data, activity, and information addressed by the
1 30 study shall include but is not limited to all of the
1 31 following:
1 32 a. The departments shall develop data identifying the
1 33 prevalence of the presence of children in the household among
1 34 adults receiving substance use disorder evaluations. The
1 35 initial data collected shall cover at least three months of
2 1 the fiscal year beginning July 1, 2008.
2 2 b. The department of human services shall include in the
2 3 written assessment made for a child abuse report a
2 4 determination as to whether or not substance abuse by the
2 5 child's parent, guardian, custodian, or other person
2 6 responsible for the child's care was a factor in the report
2 7 and finding of abuse. The department shall provide
2 8 nonidentifying information concerning the prevalence of the
2 9 determinations in child abuse assessments. The initial data
2 10 collected shall cover at least three months of the fiscal year
2 11 beginning July 1, 2008.
2 12 c. The departments shall develop and implement a protocol
2 13 to jointly address those child abuse cases that are wholly or
2 14 partially caused by substance misuse, abuse, or dependency by
2 15 the child's parent, guardian, custodian, or other person
2 16 responsible for the child's care. The protocol shall
2 17 initially be implemented by the departments on or before July
2 18 1, 2009.
2 19 3. The departments shall make an initial report to the
2 20 governor and the standing committees on human resources of the
2 21 senate and house of representatives concerning the initial
2 22 data collected, preliminary recommendations, and status of the
2 23 protocol implementation pursuant to this section on or before
2 24 December 15, 2009, and shall make a report covering the
2 25 initial data for a twelve-month period on or before December
2 26 15, 2010.
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2 30 PATRICK J. MURPHY
2 31 Speaker of the House
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2 35 JOHN P. KIBBIE
3 1 President of the Senate
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3 3 I hereby certify that this bill originated in the House and

3 4 is known as House File 2310, Eighty=second General Assembly.

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MARK BRANDSGARD

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Chief Clerk of the House

3 10 Approved _____, 2008

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3 14 CHESTER J. CULVER

3 15 Governor